



## NORTH-WEST TERRITORIES.

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### REPORT OF DONALD A. SMITH, Esq.

OTTAWA, 12th April, 1870.

*The Hon. Joseph Howe, Secretary of State  
for the Provinces, Ottawa.*

SIR,—In pursuance of the commission confided to me by His Excellency the Governor General, in relation to the affairs of the North-West Territories, I addressed you from time to time during my residence within Fort Garry, a correspondence carried on under very unfavourable circumstances, as will appear from the report I have now the honor to submit.

Leaving Ottawa on the 13th December last, I reached St. Cloud, the terminus of railway communication on the 17th, continuing on the same day by stage, and arriving at Abercrombie on the evening of the 19th. Here we had to abandon wheeled carriages, and, procuring a sleigh, after a couple of hours' rest, we resumed the journey, and on the afternoon of the 21st, met Hon. Mr. McDougall and party about thirty miles beyond Georgetown. From him I learned how serious the aspect of affairs had latterly become at Red River; and, pushing on, we got to Pembina about 11 p.m. of the 24th, and to Fort Garry on the 27th.

The Gate of the Fort we found open, but guarded by several armed men, who, on my desiring to be shown to Governor MacTavish's house, requested me to wait till they could communicate with their chief. In a short time, Mr. Louis Riel appeared. I announced my name; he said he had heard of my arrival at Pembina, and was about to send off a party to bring me in. I then accompanied him to a room occupied by ten or a dozen men, whom he introduced to me as members of the "Provisional Government." He requested to know the purport of my visit, to which I replied in substance that I was connected with the Hudson's Bay Company, but also held a commission from the Canadian Government to the people of Red River, and would be prepared to produce my credentials so soon as they, the people, were willing to receive me. I was then asked to take an oath not to attempt to leave the fort that night, nor to upset their government, legally established. This request I peremptorily refused to comply with, but said that, being very tired, I had no desire to go outside the gate that night, and promised to take no immediate steps forcibly to upset the so-called "Provisional Government," "legal or illegal, as it might be," without first announcing my intention to do so." Mr. Riel taking exception to the word illegal, while I insisted on retaining it. Mr. O'Donohue, to get over the difficulty, remarked "That is as he" (meaning myself) "understands it," to which I rejoined, "Precisely so." The above explanation, I am the more particular in giving, as it has been reported that I at once acknowledged the Provisional Government to be legal. Neither then nor afterwards did I do so.

I took up my quarters in one of the houses occupied by the Hudson's Bay Company's officers, and from that date until towards the close of February, was virtually a prisoner within the Fort, although with permission to go outside the walls for exercise, accompanied by two armed guards, a privilege of which I never availed myself.

All my official papers had been left in charge of Mr. Provencher, at Pembina, as I had been warned that if found in my possession, they would unquestionably be seized, as were those brought into the Settlement shortly after by the Rev. Mr. Thibault and Colonel De Salaberry.

The state of matters at this time, in and around Fort Garry, was most unsatisfactory, and truly humiliating. Upwards of sixty British subjects were held in close confinement as "political prisoners;" security for persons or property, there was none; the Fort, with its

large supplies of ammunition, provisions, and stores of all kinds, was in the possession of a few hundred French half-breeds, whose leaders had declared their determination to use every effort for the purpose of annexing the Territory to the United States; and the Governor and Council of Assiniboia, were powerless to enforce the law.

On the 6th January, I saw Mr. Riel, and soon came to the conclusion that no good could arise from entering into any negotiations with his "Council," even were we to admit their authority, which I was not prepared to do.

We learnt that on the 13th, the Grand-Vicar Thibault and Colonel De Salaberry appeared before the "President and Council of the People," when some explanations and compliments were exchanged, after which the Very Rev. gentleman and his associate were politely bowed out and lost sight of.

Meantime we had frequent visits in the Fort from some of the most influential and most reliable men in the Settlement, who gladly made known to the people generally, the liberal intentions of the Canadian Government, and in consequence one after another of Riel's Councillors seceded from him, and being joined by their friends and by many of their compatriots and co-religionists who had throughout held aloof from the insurgents, they determined no longer to submit to his dictation. This change evidently had a marked effect on Riel, causing him to alter his tactics and to profess a desire for an accommodation with Canada; accordingly on the 14th January, he called on me, informed me that he had seen Messrs. Thibault and DeSalaberry, whose instructions did not authorize them to give assurances that the people would be secured in possession of their rights on entering into the Confederation, their errand being merely "to calm the French Half-breeds." He then asked to see my Commission, and on my explaining that, owing entirely to the action taken by himself, it was not in my possession, in an excited yet faltering manner he said "yes, I know, 'tis a great pity, but how soon could you have it?" "probably in five or six days," I replied. "That is too long, far too long" he responded, and then asked where the documents were deposited, requesting at the same time a written order for their delivery to his messenger. To this I would not accede, but on his assuring me that they would be delivered into my hands, and that I should be afforded an opportunity of communicating their contents to the people, I consented to send a friend for them. It was so decided, and immediately after the messenger had received his instructions from me, I was placed under strict arrest, a Captain's guard being assigned me, whose instructions were, not to lose sight of me for one moment day or night, and to prevent me from communicating either verbally or in writing with any individual. I protested, saying, "am I to consider myself a prisoner?" "He replied, "certainly not, I have the utmost confidence in your honor, but circumstances demand this." It was now about 10 o'clock and my messenger having been marched out, I retired to bed, but only to be awakened 'twixt two and three o'clock in the morning of the 15th, by Mr. Riel, who with a guard, stood by the bed side and again demanded a written order for the delivery of my Official Papers, which I again peremptorily refused to give.

The well-affected French party became aware of what had happened and not believing in Riel's good faith, determined to prevent the papers from falling into his hands. They got together some sixty or eighty men, who met my friend on his way back and were escorting him, when on the 15th about 10 miles from the Fort, they were accosted by Riel and some of his party, and by the Reverend Mr. Ritchot. An altercation took place, Riel attempted to use his pistol, saying: "he would not be taken alive in his own country," on which a revolver was levelled at his head, and Mr. Ritchot, having interposed, he was unceremoniously told to stand aside and "not to interfere any further with matters unconnected with his spiritual duties." It may be well to note that all those who took part in this affair were Catholics, and, with one or two exceptions, French Half-breeds. Nothing more serious happened at this time and the party proceeded together to Fort Garry, where they arrived in the forenoon. A few minutes before they entered the house, the Very Rev. Mr. Thibault, Pere Lestanc and Colonel De Salaberry, called upon me and, with the exception of my guard they were the first individuals with whom I was permitted to converse since the 14th. They appeared to be much concerned, and said it was currently reported I had been endeavouring to incite the different parties to hostile collision. I repudiated any such charge; explained that I had acted only in the cause of peace and order, and with the desire of making the people, both French and English, fully acquainted with the liberal views of the

Canadian Government, so that a peaceful transfer of the Territory might be effected, adding that I was pleased to think there was now every likelihood this would speedily be accomplished. In the meantime, the party in possession of my papers entered the adjoining room, on which Pere Lestanc joined them, while Messrs. Thibault and De-Salaberry went outside. Immediately after they retired, Mr. Riel came to me, saying: "Your commission is here; but in the hands of men who had no right to have it." I expressed satisfaction that it had been brought in, and said being now in possession of it, I must be relieved from all restraint, and be permitted freely to communicate with the people. He at once removed the guard, and we went up to the party who had just arrived. Messrs. Riel and O'Donoghue, with a few of their friends, were present, and vehemently protested against the action now being taken, while the ex-councillors accused them of treason to the Imperial Crown, and of using every effort to bring about the annexation of the Country to the United States. Riel replied "that was only supposing the people desired it, but that he was willing the question should be submitted to them." Pere Lestanc spoke warmly in favor of the "President" who, he said, had acted so as to merit the gratitude of his countrymen, and begged them still to place confidence in him. This evidently had no effect, and ultimately, after a good deal of recrimination it was arranged that a meeting of the inhabitants from all parts of the Settlement should be called for the morrow, the 19th, at which the papers bearing on the subject should be read, a guard of forty men remaining in the house to ensure the safe-keeping of the documents.

Riel's men were now falling away from him, while the loyal party expressed their determination no longer to be guided in the matter either by him or by Pere Lestanc and his associates. They were full of hope, and confident that the following day would bring with it complete success to the cause of Canada.

Late that night, Pere Lestanc paid them another visit, which was prolonged for several hours beyond midnight, and next morning it was found that a majority of those who had seceded from Riel were again on friendly terms with him.

The hour for the meeting having arrived, upwards of a thousand people attended, and deeming it of great importance that the explanations to be made on behalf of the Canadian Government should be faithfully rendered to the French speaking portion of the Settlers, whose leaders had studiously withheld from them all knowledge of the true state of matters in connection with the proposed transfer of the country, I requested Colonel de Salaberry to act as interpreter, but the Colonel, diffident of his own ability as a translator, proposed Mr. Riel as interpreter, and the latter was appointed accordingly.

At this meeting, and that held the following day, the reading of the Commission, the Queen's Letter, and every other document was contested with much obstinacy, but ultimately carried; and threats were used to myself in the presence and hearing of the Chairman, of the Secretary, Judge Black, and others, more especially by Mr. Riel and Rev. Mr. Lestanc. At the commencement of the meeting, I requested the Chairman and those near him to begin by insisting that all arms should be laid down, and that the flag then flying (fleur de lis and shamrock) should be replaced by the British ensign; this, they thought, would come better at an after-stage; but the opportunity of doing so now lost, never recurred.

As is generally known the result of the meeting was the appointment of forty delegates, 20 from either side, to meet on 25th January, "with the object of considering the subject of Mr. Smith's Commission, and to decide what would be the best for the welfare of the country," the English as a body, and a large number of the French declaring their entire satisfaction with the explanations given, and their earnest desire for union with Canada.

On the 22nd, Riel had several conferences with the well affected French within the Fort: he was melted even to tears, told them how earnestly he desired an arrangement with Canada, and assured them that he would lay down his authority immediately on the meeting of the Convention. They believed him sincere, and, although I considered that their guard in the Fort should not be decreased, they held that ten men would be amply sufficient to leave while they went to secure their elections; the consequence was that they had hardly gone when repressive measures were resorted to, and the Hudson's Bay Company's stores which had hitherto been only partially in their hands, were now taken complete possession of by Riel.

Efforts were made to have the prisoners released, but without effect.

The Delegates met on the 25th, and continued in session till the 10th February. On the 26th, I handed to their Chairman, Judge Black, the documents read at the meetings of the 19th and 20th January, and, on the 27th, attended the Convention by appointment. I was received with much cordiality by all the delegates, explained to them the views of the Canadian Government, and gave assurances that on entering confederation, they would be secured in the possession of all rights, privileges, and immunities enjoyed by British subjects in other parts of the Dominion; but, on being requested by Mr. Riel to give an opinion regarding a certain "list of rights," prepared by his party in December last, I declined to do so, thinking it better that the present Convention should place in my hands a paper, stating their wishes to which I should "be happy to give such answers as I believed would be in accordance with the views of the Canadian Government." The Convention then set about the task of preparing a "list of rights," embodying the conditions on which they would be willing to enter the confederation. While the discussion regarding this list was going on, Mr. Riel called on me and asked if the Canadian Government would consent to receive them as a Province—my reply was, that I could not speak with any degree of certainty on the subject, as it had not been referred to when I was at Ottawa, the intention then being that the North-West should, in the first instance, be incorporated under the Dominion as a Territory; but I added, that no doubt it would become a Province within two or three years. On this Mr. Riel, with much emphasis, exclaimed "then the Hudson's Bay Company is not safe yet," to which I answered "Mr. Riel, that cannot influence me in the slightest degree, and I am quite prepared to act as may be required of me in my capacity as Canadian Commissioner." This was on the evening of the 3rd February, on the following day the proposition to enter as a Province was negatived by the Convention, and on the 5th, another motion directed against the Hudson's Bay Company, also failed; the language used by Mr. Riel on the latter occasion having been violent in the extreme. The same evening, Riel proceeded to Governor McTavish, who had been dangerously ill for many weeks back, and was then barely able to sit up, placed a guard over him, and heaping reproaches and insult on him, declared that he would have him shot before midnight. Riel then sought out Dr. Cowan, the officer in immediate charge of Red River District, upbraided him for his persistent opposition to "the people," the insurgents, and declaring that his name would go down with infamy to posterity for the part he had taken, demanded that he would immediately swear allegiance to the Provisional Government, or prepare for death within three hours, giving him a quarter of an hour for consideration. The Doctor immediately replied, that he knew no legal authority in the country, but that of Great Britain, to which his allegiance was due and that he would not take the oath required of him. He was then seized and put in confinement along with the prisoners taken in December last. I was also put under strict guard, but not removed from the house.

Notwithstanding this, and the painful doubt created in the minds of the English members of the Convention as to the course they should pursue after these arrests the Delegates again met on the 7th. On the 5th, they had resolved to place in my hands the List of Rights they had drawn up, which was done at 11 o'clock on the 7th, with an intimation that the Convention would be glad to meet me at 1 o'clock p.m., the intervening two hours being allowed me to frame my answers. In drawing up these, I was allowed no reference to any document either written or printed, except the "List of Rights," and a guard stood over me to see that I should write nothing else than that to be presented to the convention. I had just finished writing when Mr. Riel and his "Adjutant-General" Lépine, who was also a member of the Convention, came in, and Riel looking at the latter in a significant manner said "the answers to the List of Rights must be simply yes or no." On this I remarked that I thought otherwise and would act as circumstances might appear to me to require. I then retired, and on returning to the room a few minutes later, found there Mr. Riel, the Rev. Mr. Thibault and Colonel De Salaberry. We proceeded together

to the Convention, and in course of conversation Col. De Salaberry said he would gladly have come to see me before, but could not as he "had been a prisoner throughout."

The proceedings of the convention as reported in the "New Nation" newspaper, of the 11th and 18th February, copies of which I have had the honor of addressing to you, are sufficiently exact, and render it unnecessary for me here to enter into details. Suffice it to say that a large majority of the delegates expressed entire satisfaction with the answers to their "List of Rights," and professed confidence in the Canadian Government, to which I invited them to send delegates, with the view of effecting a speedy transfer of the Territory to the Dominion, an invitation received with acclamation and unanimously accepted, as will appear by resolution hereto annexed, along with the List of Rights and my answer to the same. The delegates named were John Black, Esq., Recorder, the Rev. Mr. Ritchot, and Mr. Alfred H. Scott. A good deal of opposition having been offered to the election of the last named of the three.

The proceedings of the Convention came to a close on the 10th February, by the nomination of a Provincial Government, in the formation of which several delegates declined to take any part. Governor MacTavish, Dr. Cowan, and two or three other persons were then released and the Hudson's Bay Company officers again allowed to come and go at pleasure, but I was still confined to the Fort: Riel, as he expressly stated to Judge Black, being apprehensive of my influence with the people in the approaching election.

Riel promised that all the prisoners should soon be released. On the 11th and 12th six or eight of them were set at liberty, and Dr. Cowan was informed in my presence, that as they were all to be discharged without delay, the rooms they had occupied would be placed at his disposal in a day or two; Riel remarking at the same time that he would have them thoroughly cleaned out.

Rumours now began to circulate of a rising at the Portage, and on the night of the 14th and 15th of February, some 80 or 100 men from that district passed down close to Fort Garry, and proceeded to Kildonan, where they were joined by from 300 to 350 men, principally English half-breeds, from the lower parts of the Settlement. Had these men, properly armed and organized, been prepared to support the well affected French party, when the latter took action, about the middle of January, or even in the beginning of February, during the sitting of the Convention, order might have been restored and the transfer to Canada provided for without the necessity for firing a single shot; but now the rising was not only rash, but purposeless, as, without its intervention, the prisoners would unquestionably have been released. The party was entirely un-organized, indifferently armed, unprovided with food even for one meal, and wholly incapable of coping with the French now re-united, who, to the number of at least seven hundred were prepared to offer the most determined resistance, which, as they were in possession of a number of guns (six and three pounders), ample stores of ammunition, provisions, and every other requisite, they could have done most effectually. My sympathies were, in a great measure, with the Portage men, whom I believe to have been actuated by the best of motives; but under the circumstances it was not difficult to foresee that the issue could not be otherwise than disastrous to their cause. The attempt was, therefore, to be deplored, as it resulted in placing the whole Settlement at the feet of Riel. The great majority of the settlers, English and Scotch, discountenanced the movement and bitterly complained of those who had set it on foot. Forty-seven of the party were captured on their way home, while passing within a few hundred yards of the Fort; the explanation I have heard given for their otherwise inexplicable conduct in having taken this route, instead of making a *détour* which would have ensured safety, being a supposed promise by Riel that they would be permitted to pass unmolested. Their messenger, a young man named McLean, on being questioned by Archdeacon McLean and myself in presence of the Rev. Mr. Gardner and one or two other gentlemen, admitted that Riel, on being asked "if the party would be permitted to pass," was silent, and only, on being informed that they intended next day to use the route just outside the town, remarked "ah! that is good," and for his purpose it no doubt was so. Captain Bolton led the

party, and he and his friends at the Portage assured me that he exerted himself to the utmost to keep them from rising, and only joined them at the last moment when he saw they were determined to go forward. He was captured on the 17th, tried by "Court Martial," and condemned to be shot at noon on the following day, but at the intercession of the Lord Bishop of Rupert's Land, Archdeacon McLean, and, in short, every influential man among the English, and I have been told also, at the earnest entreaty of the Catholic Clergy, the execution was delayed till midnight of Saturday, the 19th. Further than this, Riel declared he could not, would not, yield, except, indeed, Dr. Schultz should be captured in the meantime, in which case he would be shot instead of Bolton. Archdeacon McLean had been in close attendance on Capt. Bolton for twenty-four hours, had administered to him the sacrament, received his last commands, and had promised to be present with him at the last moment, and when I met the Archdeacon on my way to see Riel, about 8 o'clock on the evening of the 19th, he was deeply affected, and had given up all hope. I found with Riel, Mr. H. N. Robinson, of "The Nation" newspaper, and shortly afterwards Mr. James Ross, "Chief Justice," entered, followed in a few minutes by Mr. Bannatyne, Postmaster, who had been ordered to bring the key of the mail bag, which Riel opened, and examining the letters perused and retained one or more. Mr. Ross pleaded for Bolton, but was repulsed in the most contemptuous manner. I had already been speaking to Riel on the subject when interrupted by Mr. Ross's entrance, and now resumed the conversation. Riel was obdurate and said that the English settlers and Canadians, but more especially the latter, had laughed at and despised the French Half-breeds, believing that they would not dare to take the life of anyone, and that, under these circumstances, it would be impossible to have peace and establish order in the country; an example must therefore be made, and he had firmly resolved that Bolton's execution should be carried out, bitterly as he deplored the necessity for doing so. I reasoned with him long and earnestly, until at length, about 10 o'clock, he yielded, and addressing me, apparently with much feeling, said "hitherto I have been deaf to all entreaties, and, in now granting you this man's life," or words to that effect, "may I ask you a favor?" "Anything," I replied, "that in honor I can do." He continued, "Canada has disunited us, will you use your influence to re-unite us? You can do so, and without this it must be war—bloody civil war!" I answered, that as I had said on first coming to the country I would now repeat, that "I would give my whole heart to effect a peaceable union of the country with Canada." "We want only our just rights as British subjects," he said, "and we want the English to join us simply to obtain these." "Then," I remarked, "I shall at once see them and induce them to go on with the election of delegates for that purpose," and he replied, "if you can do this, war will be avoided, not only the lives but the liberty of all the prisoners will be secured, for on your success depend the lives of all the Canadians in the country." He immediately proceeded to the prison, and intimated to Archdeacon McLean that he had been induced by me to spare Capt. Bolton's life, and had further promised to me that immediately on the meeting of the Council shortly to be elected, the whole of the prisoners would be released, requesting the Archdeacon, at the same time, to explain these circumstances to Capt. Bolton and the other prisoners.

The moment was a fearful one for the settlement: every man's life was in the hands of Riel and fully appreciating the significance of this, the Bishop of Rupert's Land and the Protestant clergy generally, now earnestly counselled the people to elect their delegates without loss of time as by this means they might to some extent control the course of events, while otherwise they were utterly powerless. I entirely concurred in this view of the case and, Archdeacon McLean having kindly offered to accompany me, we visited the different parts of the settlement, and found that in several parishes, the people, and those the most loyal to the British Crown and most desirous for union with Canada, had already chosen their Councillors. I explained to all, that the Council was to be Provisional, in the strictest sense of the word, intended expressly for effecting the transference of the country to Canada, and for ensuring safety of life and property in the meantime. In some instances, I found they had drawn up petitions to Mr. Riel as "President"

expressing submission, &c., these I requested them to destroy, advising that nothing more should be done than under the circumstances was absolutely necessary, namely, that having made their election, you should simply intimate the fact in formal terms to Mr. Bunn, who had been named Secretary of the Council, and not to Mr. Riel. The elections in the English parishes having taken place on the 26th February I again saw Riel, who re-assured me, that all the prisoners would be released within a day or two after the first meeting of the Council. On the 28th, he again sent for me and in presence of Mr. Fraser, delegate from the *Scotch* Parish, Kildonan, repeated his promise that the lives of the prisoners were secured, and that their release would shortly follow.

I had no further communication with Riel until Monday, the 4th March, when about 10 o'clock in the morning, Père Lestanc called on me: He informed me of Bishop Taché's expected arrival, not later certainly than the 8th, and probably some days earlier, adding that his Lordship had telegraphed to request that, if about to leave for Canada, I should defer my departure till he could communicate personally with me. He then said that the conduct of the prisoners was very unsatisfactory, that they were very unruly, insolent to the "soldiers" and their behaviour altogether so very bad, that he was afraid the guards might be forced to retaliate in self defence. I expressed much surprise at the information he gave, as the prisoners, without exception, had promised to Archdeacon McLean and myself, that seeing their helpless condition, they would endeavour to act so as to avoid giving offence to their guards, and we encouraged them to look forward to being speedily released in fulfilment of the promise made by Mr. Riel. One man, Parker, was mentioned as having made himself particularly obnoxious by his violent conduct, but not one word was said on this occasion regarding Scott, or the slightest intimation given, that he or any other person had been condemned to be shot. About 11 o'clock Père Lestanc left me and went up stairs to communicate to Governor MacTavish, as he said, "the good news that Bishop Taché was expected so soon." The Reverend Mr. Young, Methodist clergyman, had just entered the house and meeting the Père in the hall, conversed with him a few minutes. Mr. Young then came up to me, and from him, I had the first intimation that it was intended to shoot Thomas Scott, and that the sentence was to be carried into effect at 12 o'clock, noon, that day. We agreed in believing that the thing was too monstrous to be possible, and Mr. Young mentioned that poor Scott himself was equally incredulous on the subject, thinking they merely intended to frighten him. However, even to keep him in suspense was of itself a horrible cruelty, and it was arranged that as Mr. Young had been sent for to attend the man, he should see Riel, ascertain exactly how the matter stood, and, if really serious, to let me know at once. Mr. Young accordingly called on Riel, was informed that Scott had been condemned, that the sentence was irrevocable, and would not be delayed one minute beyond noon. Mr. Young begged for delay, saying "the man is not prepared to die," but all without avail. He was paralyzed with horror, returned to the prisoner, and immediately sent a messenger to inform me of the result of his visit. I determined to find out Riel immediately, but recollecting that Père Lestanc was still up stairs with Mr. MacTavish, went to him, related what I had heard, and asked him if he knew anything about the matter. His answer I cannot give in precise words, but it was to the effect that they had seen Mr. Riel on the other side (St. Boniface), and had all spoken to him about it, by which I understood that *they* had interceded for Scott. Governor MacTavish was greatly shocked on being informed of Riel's purpose, and joined in reprobating it. Père Lestanc consented to accompany me, and we called on Riel. When we entered, he asked me "what news from Canada." The mail had arrived the preceding day, and I replied, "only the intelligence that Bishop Taché will be here very soon." I then mentioned what I had heard regarding Scott, and before Riel answered, Père Lestanc interposed in French words, meaning "is there no way of escape?" Riel replied to him, "my Reverend Père, you know exactly how the matter stands," then turning to me, he said, I will explain to you, speaking at first in English, but shortly after using the French, remarking to me, "you understand that language." He said in substance that Scott had throughout been a most troublesome character, had been the ringleader in a rising.



against Mr. Snow, who had charge of the party, employed by the Canadian Government during the preceding summer in road making; that he had risen against the "Provisional Government" in December last, that his life was then spared; that he escaped, had again been taken in arms, and once more pardoned,—referring no doubt to the promise he had made to me that the lives and liberty of all the prisoners were secured—but that he was incorrigible, and quite incapable of appreciating the clemency with which he had been treated; that he was rough and abusive to the guards, and insulting to him, Mr. Riel; that his example had been productive of the very worst effects on the other prisoners, who had become insubordinate to such an extent, that it was difficult to withhold the guards from retaliating. He further said, "I sat down with Scott as we are doing now, and asked him truthfully to tell me, as I would not use his statement against him, what he and the Portage party intended to have done with me, had they succeeded in capturing me, when they surrounded Coert's house," to which he replied, "we intended to keep you as a hostage for the safety of the prisoners." I argued with Riel, and endeavoured to show that some of the circumstances he had mentioned, and especially the last, were very strong reasons to urge why Scott's life should not be sacrificed, and that, if as he represented, Scott was a rash, thoughtless man, whom none cared to have anything to do with, no evil need be apprehended from his example. I pointed out that the one great merit claimed for the insurrection was that, so far, it had been bloodless, except in one sad instance, which all were willing to look upon as an accident, and implored him not now to stain it, to burden it with what would be considered a horrible crime. He exclaimed "we must make Canada respect us." I replied, "she has every proper respect for the people of Red River, and this is shown in her having sent Commissioners to treat with them." I told him I had seen the prisoners some time back, when they commissioned me to say to their friends at the Portage, that they desired peace, and I offered to go to them again and reason with them, should that be necessary. On this he said, "look here, Mr. Smith, Mr. Scott, the representative, went to see the prisoners at my desire, and on asking them whom they would vote for as Councillor, if they were permitted a choice outside of their own body? Thos. Scott came forward and said, 'my boys have nothing to do with those — Americans.' And when I remarked 'this is really a most trifling affair, and ought not to have been repeated,' he said 'do not attempt to prejudice us against the Americans, for although we have not been with them—they are with us, and have been better friends to us than the Canadians.' Much more was said on both sides, but argument, entreaty, and protest alike failed to draw him from his purpose and he closed by saying, 'I have done three good things since I have commenced, I have spared Bolton's life at your instance, and I do not regret it, for he is a fine fellow, I pardoned Gaddy, and he showed his gratitude by escaping out of the bastion, but I don't grudge him his miserable life, and now I shall shoot Scott.' Lépine, the Adjutant-General, who was president of the Council of Seven, which tried Scott,—and five of whom, Riel told me, "with the tears streaming from their eyes, condemned him as worthy of death," a sentence which he had confirmed—now entered, and in answer to Riel, said "he must die." Riel then requested the Rev. Père Lestanc to put the people on their knees for prayer as it might do good to the condemned man's soul. Referring to Père Lestanc and making a final appeal unnecessary here to repeat I retired. It was now within a few minutes of one o'clock, and on entering the Governor's house Rev. Mr. Young joined me, and said, "It is now considerably past the hour, I trust you have succeeded." "No, I said, "for God's sake go back at once to the poor man, for I fear the worst." He left immediately, and a few minutes after he entered the room in which the prisoner was confined, some guards marched in and told Scott his hour was come. Not until then did the reality of his position flash upon poor Scott. He said good bye to the other prisoners, was led outside the gate of the Fort, with a white handkerchief covering his head, his coffin, having a piece of white cotton thrown over it, was carried out; his eyes were bandaged; he continued in prayer, in which he had been engaged on the way for a few minutes; he asked Mr. Young how he should place himself, whether standing or kneeling; then knelt in the snow, said farewell, and immediately after fell back pierced by three bullets,

which passed through his body. The firing party consisted of six men, all of whom it is said were more or less intoxicated. It has been further stated that only three of the muskets were loaded with ball cartridge, and that one man did not discharge his piece. Mr. Young turned aside when the first shots were fired, then went back to the body and again retired for a moment while a man discharged his revolver at the sufferer, the ball it is said, entering the eye and passing round the head.

The wounded man groaned between the time of receiving the musket shots and the discharge of the revolvers. Mr. Young asked to have the remains for interment in the burying ground of the Presbyterian church, but this was not acceded to, and a similar request preferred by the Bishop of Rupert's Land was also refused. He was buried within the walls of the fort. On descending the steps leading from the prison, poor Scott, addressing Mr. Young said, "This is a cold blooded murder," then engaged in prayer, and was so occupied until he was shot.

After this date I held no communication whatsoever with Riel, except in reference to getting away from the country, which I was not allowed to leave without a pass. I felt that under the circumstances it was not desirable I should remain longer at Red River, but it was not until late in the night of the 18th inst. Riel gave permission for my departure.

Although not accomplishing all that could have been desired, the mission to Red River, as I shall endeavour to show in a few words, has been productive of some good, and that it was not entirely successful, may fairly be attributed to the circumstances above referred to in connection with the action taken and meetings held in January last. Success, although in a lesser degree, might also have been gained at a later period but for the rising in February, which, though rash and productive of results the most unfortunate, I can hardly blame, knowing, as already stated, that those who took part in it were actuated and impelled by generous motives.

On reaching Red River in December last, I found the English-speaking portion of the inhabitants greatly divided in opinion as to the comparative advantages of union with Canada and the formation of a Crown colony, while a few, a very small number, favored annexation to the United States. The explanations offered on the part of Canada they received as satisfactory, and, with hardly a dissentient voice, they would now vote for the immediate transfer to the Dominion. They earnestly requested me to assure His Excellency the Governor General of their warm loyalty to the British Crown.

The case is different as regards the French half-breeds. A not inconsiderable number of them remained true to their allegiance during all the troubles through which they have had to pass, and with these will now be found associated many others whose minds had for a time been poisoned by gross misrepresentations made by designing men for their own selfish ends. A knowledge of the true state of the case, and of the advantages they would derive from union with Canada, had been carefully kept from them, and they were told to judge of Canadians generally, by the acts and bearing of some of the less reflective immigrants, who had denounced them as "cumberers of the ground," who must speedily make way for the "superior race" about to pour in upon them.

It is also too true that in the unauthorised proceedings of some of the recent Canadian arrivals, some plausible ground had been given for the feeling of jealousy and alarm with which the contemplated change of Government was regarded by the native population. In various localities these adventurers had been industriously marking off for themselves considerable, and in some cases very extensive and exceptionally valuable tracts of land, thereby impressing the minds of the people with the belief that the time had come when, in their own country, they were to be entirely supplanted by the stranger, a belief, however, which I have no doubt, might have been completely precluded by the prevention of all such operations, until Canada had fully unfolded her policy and shown the groundlessness of these fears.

Let us further bear in mind that many of the Catholic clergy in the country are not French Canadians but Frenchmen, and consequently, it may be presumed, not very conversant

with British laws and institutions and with the liberty and privileges enjoyed under them. Warmly attached to their flocks, they deemed it necessary to exact some guarantee that in their new political condition, they would not be treated with injustice. It is unnecessary here to point out how the breach widened until at length it attained a magnitude and significance little dreamt of in the commencement, even by those who joined most heartily in the movement. It is far more pleasing to be able to state, which I do with much confidence, that a large majority of the French party have no misgivings as to union with Canada, and that joined by and under the guidance of His Lordship, Bishop Taché, and other members of the clergy who enjoy their confidence, they will very shortly prove themselves to be staunch supporters of the Dominion, firm in their allegiance to England.

In course of the insurrection one deplorable crime and many grossly illegal acts have unquestionably been committed, but it would be alike impolitic and unjust to charge them on the French population generally.

Much obloquy has been heaped on the Hudson's Bay Company and their Governor and officers in the North-west, which I consider it quite unnecessary at this moment, even to attempt to answer or refute, although, not doubting that both could be readily and satisfactorily done. Errors, many and grave, have, it cannot be denied, been committed on all sides, but wilful and intentional neglect of duty, cannot, I feel convinced, be laid to the charge, either of the Hudson's Bay Company, or their representatives in the Country. Personally, I have been entirely unconnected with the administration of affairs in that department.

I would respectfully submit, that it is of the utmost importance, there should be a strong military force in the North-west as early as practicable. The minds of the Indians, especially the tribes in the Saskatchewan Country have been so perplexed and confused, by the occurrences of the past six months, that it would be very unsafe to trust to their forbearance; and indeed, until the question of Indian claims has been finally settled, it would not, in my opinion, be prudent to leave the country unprotected by military. The adjustment of those claims will require early attention, and some memoranda and evidence in my hands on the subject. I shall, if desired, be prepared to lay before the Government.

I have the honor to be, Sir,

Your obedient servant,

DON. A. SMITH.

## APPENDIX.

### "LIST OF RIGHTS."

"1. That in view of the present exceptional position of the North-West, duties upon goods imported into the country, shall continue as at present (except in the case of spirituous liquors) for three years, and for such further time as may elapse until there be uninterrupted railroad communication between Red River Settlement and St. Paul, and also steam communication between Red River Settlement and Lake Superior.

2. As long as this country remains a Territory in the Dominion of Canada, there shall be no direct taxation except such as may be imposed by the Local Legislature for Municipal or other Local purposes.

3. During the time this country remains a Territory in the Dominion of Canada, all military, civil, and other public expenses in connection with the general government of the country,—or that have hitherto been borne by the public funds of the Settlement,

beyond the receipt of the above mentioned duties, shall be met by the Dominion of Canada.

4. That while the burden of public expense in this country is borne by Canada, the country be governed under a Lieutenant-Governor from Canada, and a Legislature, three members of whom being heads of departments of the Government, shall be nominated by the Governor General of Canada.

5. That after the expiration of this exceptional period, the country shall be governed, as regards its local affairs, as the Provinces of Ontario and Quebec are now governed, by a Legislature elected by the people, and a Ministry responsible to it, under a Lieutenant-Governor appointed by the Governor General of Canada.

6. That there shall be no interference by the Dominion Parliament in the Local affairs of this Territory other than is allowed in any of the Provinces in the Confederation; and that this Territory shall have and enjoy in all respects, the same privileges, advantages and aids in meeting the public expenses of this Territory as the Confederated Provinces have and enjoy.

7. That while the North-West remains a Territory, the Legislature have a right to pass all laws local to the Territory, over the veto of the Lieutenant-Governor, by a two third vote.

8. A Homestead and Pre-emption Law.

9. That while the North-West remains a Territory, the sum of \$25,000 (twenty-five thousand dollars) a year be appropriated for schools, roads and bridges.

10. That all public buildings be at the cost of the Dominion Treasury.

11. That there shall be guaranteed uninterrupted steam communication to Lake Superior within five years, and also the establishment by rail of a connection with the American railway as soon as it reaches the International line.

12. That the English and French languages be common in the Legislature and Courts, and that all public documents and Acts of the Legislature be published in both languages.

13. That the Judge of the Supreme Court speak the French and English languages.

14. That treaties be concluded between the Dominion and the several Indian tribes of the country, as soon as possible.

15. That until the population of the country entitles us to more, we have four representatives in the Canadian Parliament—one in the Senate and three in the Legislative Assembly.

16. That all properties, rights and privileges, as hitherto enjoyed by us, be respected and the recognition and arrangement of local customs, usages and privileges, be made under the control of the Local Legislature.

17. That the Local Legislature of this Territory have full control of all the public land inside a circumference, having Upper Fort Garry as the centre, and that the radii of this circumference, be the number of miles that the American line is distant from Fort Garry.

18. That every man in this country (except uncivilized and unsettled Indians) who has attained the age of twenty-one years, and every British subject, a stranger to this Territory, who has resided three years in the country, and is a householder, shall have a right to vote at the election of a member to serve in the Legislature of the country and in the Dominion Parliament; and every foreign subject, other than a British subject, who has resided the same length of time in the country, and is a householder, shall have the same right to vote, on condition of his taking the oath of allegiance—it being understood that this article be subject to amendment exclusively by the Local Legislature.

19. That the North-West Territory shall never be held liable for any portion of the £300,000 paid to the Hudson Bay Company, or for any portion of the public debt of Canada, as it stands at the time of our entering the Confederation; and if, thereafter we be called upon to assume our share of the said public debt, we consent only on condition that we first be allowed the amount for which we shall be held liable."

The foregoing document was put into my hands at 11 a.m., February 7th, and I was invited to meet the Delegates at 1 p.m., the same day, which I did, and then, as Canadian Commissioner, replied as follows :—

1. "With regard to the first article, the Convention has already had a communication to the effect that the Dominion Government had provided by Order in Council for the continuance of the present tariff of duties in the Territory for at least two years ; and I feel convinced that the Government will be prepared to recommend to Parliament such measures as will meet the views of the Convention, as expressed in this article.

2nd & 3rd. I believe the Canadian Government will ask the Dominion Parliament to meet the views of the Convention and their Constituents in respect to these articles.

4th. The Canadian Government assured me of their desire to consult the wishes of the people of the Territory in respect to matters connected with the Composition of the Local Legislature, and of their intention to select at least two-thirds of the Council from among the residents. This Council would have reported as to the best mode of proceeding in introducing the elective principle, and Parliament would then have been asked to pass an Act on the subject, the Government having no power to settle such a matter without an Act. Bearing this in mind, I do not hesitate to give it as my opinion that the Dominion Government will ask Parliament to provide a liberal Government for the country while it remains a Territory.

5th. I have the most explicit assurance from the Canadian Government—that such will be the case.

6th. For this the Dominion Government will provide in a liberal spirit.

7th. This article brings up some constitutional considerations, with which it would be presumption on my part, were I to deal summarily. But, I will repeat most distinctly, that the Dominion Government will pay the utmost deference to the wishes of the Convention, as regards this and all other matters in connection with the Government of the country, and I have full confidence that the decision arrived at will be acceptable to the people.

8th. I have been instructed by the Canadian Government—to make known to the people of the Settlement—that all property held by residents in peaceable possession will be secured to them ; and that a most liberal land policy in regard to the future Settlement of the country will be adopted,—every privilege in this respect enjoyed in Ontario or Quebec, being extended to the Territory.

9th. I feel certain that an amount even exceeding that here mentioned, will be appropriated for the purposes referred to.

10th. I can safely promise that the Dominion Government will defray the cost of all the public buildings required for the general business of the Territory.

11th. I do not hesitate to give this assurance, as the works on the Lake Superior Route, which have been progressing actively since the early part of last summer, will doubtless be completed much within the time specified. As to the railway to Pembina, shortly after the American line reaches that point, it will certainly be carried out.

12th. This will unquestionably be provided for.

13th. The answer given to No. 12, will apply equally here.

14th. Fully alive to the necessity of this, the Dominion Parliament will not fail to take an early opportunity of dealing with the matter, in order to extinguish in an equitable manner the claims of the Indians, so that settlers may obtain clear and indisputable titles.

15th. The Convention will not expect me to speak definitely as to the number of representatives to be allotted to the Territory, but I can promise that the circumstances and requirements of the country will be fully and liberally considered in dealing with this matter.

16th. On the part of the Canadian Government, as well as of Her Majesty's Representative in British North America, and also as coming immediately from the Sovereign, assurances have been given to all that the properties, rights, and privileges hitherto enjoyed by the people of the Territory would be respected, and I feel sure that

the Dominion Government will confide to the Local Legislature the recognition and arrangement of local customs, usages, and privileges.

17th. My knowledge of the country and of the extent to which the concession here desired might affect public works, &c., is too limited to permit me to give any decided opinion on the subject, further than that full and substantial justice will be done in the matter.

18th. Without entering into the details of the article, I would say that the franchises will be so adjusted as to be satisfactory to the public, both native and immigrant, and in a manner conducive to the general welfare.

19th. My belief is, that the Canadian Government has no intention of imposing on the North-West Territory the payment of any portion of the £300,000, and I have much confidence that they will be so actuated, in every respect, by wise and just motives, that in arranging for the distribution of the public debt of Canada, the North-West Territory will not be held liable for anything it ought not to bear; in short, that here, as in every other particular, substantial justice will be done.

Having gone through the articles, I would beg to say that, although authorized as Commissioner to act generally, as might appear best in the state of affairs here, it was thought probable some points might arise with which I could not deal personally, and to meet this I was instructed by the Dominion Government to invite a delegation of two or more of the residents of Red River to meet and confer with them at Ottawa. This I now do, and on the part of the Government promise that the gentlemen sent to Canada will be cordially received."

The invitation to send delegates to Canada was unanimously accepted by the Convention, and the following resolution was handed to me on the 8th February.

"FORT GARRY, COURT HOUSE, February 8, 1870.

"Resolved unanimously,—that as the Canadian Commissioners have invited a delegation from this country to Canada, to confer with the Canadian Government as to the affairs of this country; and as a cordial reception has been promised to said delegates, be it therefore resolved that the invitation be accepted, and that the same be signified to the Commissioners.

"By order.

(Signed)

"W. COLDWELL.

"LAU-SCHMIDT.

"Secretaries to the Convention."